

PATENT *B*
Attorney Docket No. FORS-06910 *Chw*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: James R. Prudent *et al.*

Serial No.: 10/081,806

Group No.: 1637

Filed: 02/22/02

Examiner: Jeffrey Siew

Entitled: Nucleic Acid Detection Assays

TRANSMITTAL OF CORRECTION OF DRAWING IN RESPONSE TO
NOTICE OF DRAWING INCONSISTENCY WITH SPECIFICATION
MAILED JULY 23, 2004

Mail Stop Issue Fee
Commissioner for Patents
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CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(i)(A)	
I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450	
Dated: <u>August 23, 2004</u>	By: <u><i>Mary Ellen Waite</i></u> Mary Ellen Waite

Sir or Madam:

This communication is in response to the Notice of Drawing Inconsistency With Specification Mailed 07/23/04. Applicants believe no fee is required.

Dated: August 23, 2004

Mary Ann Brow
Mary Ann Brow
Registration No. 42,363

MEDLEN & CARROLL, LLP
101 Howard Street, Suite 350
San Francisco, California 94105
608/218-6900



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

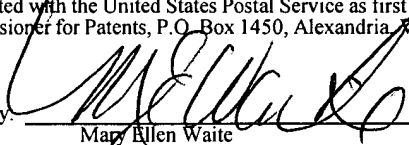
In re Application of: James R. Prudent *et al.*
Serial No.: 10/081,806
Filed: 02/22/02

Group No.: 1637
Examiner: Jeffrey Siew

Entitled: **Nucleic Acid Detection Assays**

**CORRECTION OF DRAWING IN RESPONSE TO
NOTICE OF DRAWING INCONSISTENCY WITH
SPECIFICATION MAILED JULY 23, 2004**

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CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(i)(A)	
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Dated: <u>August 23, 2004</u>	By:  Mary Ellen Waite

Sir or Madam:

Sir or Madam:

The following communication is responsive to the Notice of Drawing Inconsistency With Specification, mailed July 23, 2004, with a response due on or before August 23, 2004

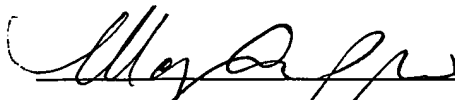
Please replace the drawing sheet containing FIG. 1B and FIG. 1C (sheet No. 2 of the set of drawings) with the corrected FIG. 1B included herewith.

For your reference, Applicants include with this Correction the following sheets, in the order listed:

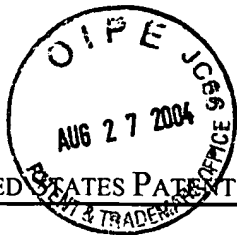
1. Copy of the Notice of Drawing Inconsistency with Specification, Mailed July 23, 2004 (2 pages);
2. Previous FIG. 1B-1C, showing corrections to be made (1 page);
3. Corrected FIG. 1B, clean copy, marked as "REPLACEMENT SHEET".

The corrected FIG. 1B corrects the inconsistency noted by the Office of Patent Publishing, so as to allow issuance of the patent. If there are any questions regarding the correction of FIG. 1B, Applicants encourage the Office of Patent Publication to call the undersigned collect at (618) 218-6900.

Dated: August 23, 2004



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/081,806	02/22/2002	James R. Prudent	FORS-06910	2990

7590 07/23/2004

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EXAMINER

SIEW, JEFFREY

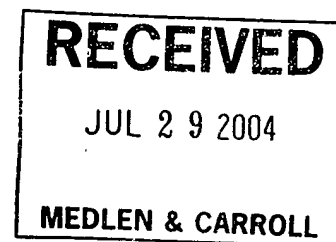
ART UNIT PAPER NUMBER

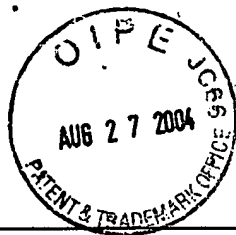
1642

DATE MAILED: 07/23/2004

Resp. 8/23/04 (absolute) *res*

Please find below and/or attached an Office communication concerning this application or proceeding.





UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

NOTICE OF DRAWING INCONSISTENCY WITH SPECIFICATION

The drawings filed 06-07-2002 have been received. However, an inconsistency exists between the drawings and the Brief Description of the Drawings in the specification.

Figures _____ are listed in the Brief Description of the Drawings in the specification but not contained in the Drawings.

Figure 1C is contained in the Drawings but not listed in the Brief Description of the Drawings in the specification.

Applicant is required to correct the above-noted inconsistency within a time period of **ONE MONTH or THIRTY (30) DAYS, whichever is longer**, from the mailing date of this Notice, or within the time remaining in the time period set forth in the Notice of Allowability (Form PTOL-37) to file corrected drawings, whichever is longer. **NO EXTENSION OF THIS TIME PERIOD MAY BE GRANTED UNDER EITHER 37 CFR 1.136 (a) OR (b)**

Failure to correct the above noted inconsistency will result in **abandonment** of the application.

The file will be held in the Publishing Division to await the correction of the inconsistency.

Return Corrected Drawings/Specification to:

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FORM PTO-1631 (REV. 10-03)